

DEVELOPMENT REVIEW COMMITTEE

Tuesday, June 24, 2014

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, June 24, 2014**, beginning at 1:04 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present
Joe Haberman, Planning & Development Review Manager	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Mitch Harvey, Comprehensive Plan Manager	Present
Rey Ortiz, Planning & Biological Plans Examiner Supervisor	Present
Matt Coyle, Senior Planner	Present
Karl Bursa, Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Mr. Schwab approved the minutes from the May 27, 2014 meeting.

MEETING

New Items:

1.Suncrest Landing, LLC, 5180 Suncrest Road, Stock Island, miler marker 5: A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the development of a proposed light industrial use involving automotive repair and outdoor storage. The subject property is legally described as Lot 29 and Lot 30, Sun Krest Subdivision (Plat Book 1, Page 107), Stock Island, Monroe County, Florida, having real estate numbers 00132690.000000 and 00132700.000000.
(File 2014-052)

Mr. Coyle presented the staff report. Mr. Coyle reported that this is an amendment to a minor conditional use on this property to expand the existing approved area for outdoor storage and

establishing a new area for automotive repair. Mr. Coyle noted what is currently not in compliance on the property. The site plan does not show the parcel separated from any established residential use by a Class C buffer yard; all outdoor storage areas are not screened from adjacent uses by a solid wall or hedge at least six feet in height; an existing slab is showing in the front yard setback; there is no building permit approval on file for the slab; and recent aerial photography shows a shade structure that has no building permit located on the slab. Compliance is to be determined for wastewater treatment criteria. The site plan must be revised to show a restroom or acceptable alternative for the automotive repair business.

Mr. Roberts addressed the environmental design criteria and mitigation standards. Mr. Roberts reported that the wetland setback shown on the site plan does not meet the code. There is a minimum 50 foot setback required off of the mangrove edge unless reduced to a 25-foot buffer if that is planted and maintained and put into a conservation easement. There is no permit on file for the clearing done in 2005 or 2006. The options to address that are to either recreate what was there completely or, in the absence of the data for what existed there previously, planting the required buffers with 100 percent native vegetation. Mr. Roberts also reported the stormwater retention area shown on the site plan is not adequate. The stormwater management plan is required to be prepared and provided by a registered professional engineer licensed in Florida.

Mr. Coyle then reported that the two types of uses, repair and servicing of vehicles, requires three parking spaces per service bay. The outdoor storage, per Land Use Code 151, would require approximately two parking spaces. Before the minor conditional use permit is issued the applicant would need to know the exact square footage of the outdoor storage area and then revise the site plan to show what is required in the staff report or reduce the number of automotive repair service bays or square footage of the outdoor storage area. The applicant could also apply for a variance, submit a parking demand study or enter into a parking agreement with the neighboring property owner, or any combination thereof. One handicap accessible parking space will be required. An 11-by-35 loading and unloading space needs to be shown on the site plan. Required landscaping is not in compliance. How the applicant moves forward with the parking will clarify what will be needed using the Class C landscaping standard. A wetland buffer yard is needed, as well as a Class C buffer yard along the residential side of the property. A recycling collection area of 125 square feet is also needed. Mr. Coyle recommends approval with conditions. Those conditions were then outlined in detail.

Mr. Haberman then asked for clarification from the applicant how many cars will be worked on at any one time and where the cars waiting for repair are stored. The applicant, Sam Holland, stated he has no problem with the conditions imposed. Mr. Holland gave a brief history of how the auto repair use came to exist on this property. Mr. Holland clarified that the mechanic is licensed by the County and does have a restroom on site that has been inspected. Mr. Holland is inclined to reduce the outside storage and thereby reduce the demand for parking. The auto repair will also be decreased from four bays to two. Mr. Holland clarified that quite a few of the vehicles observed parked up and down the road are a result of the businesses that front US-1 that had their parking taken away by DOT.

Mr. Haberman pointed out that if the slab is repaired continued use can be approved as an administrative variance and that if the shade structure is unenclosed it will not be subject to

NROGO. Another option is to take ten feet off the front yard setback to make it conforming. Mr. Haberman noted the Building Official may require a building permit for the shade structure if it is not taken down every day. It also has to withstand the wind load. Owen Trepanier, present on behalf of the applicant, stated the applicant anticipates redoing the site plan in a more detailed way. Mr. Haberman stated that a depth of 18 feet is needed for the parking spaces with 24 feet back out space. If the applicant scales the application back to two bays, six parking spaces will be needed for the two bays and two spaces for the outdoor storage area. Mr. Haberman informed the applicant that the County Engineer, Judy Clark, reviewed the site plan and has no problems with it except that the fence is on County right-of-way. If the fence ever needs to be replaced in the future, it needs to be built on the applicant's property. Mr. Holland clarified there will be no heavy industrial use on this property. Mr. Roberts then requested the applicant account for the fill issue back from 2006. Mr. Haberman suggested the applicant do a site work permit for stormwater management and parking so the fill can be approved that way, as long as the letter previously submitted from the Army Corps of Engineers saying they are okay with it is included. Mr. Haberman also suggested containing the outdoor storage space from the beginning with a fence to avoid somebody complaining about expansion of storage.

Mr. Schwab noted there was no public in attendance for public comment.

2.A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING A PRELIMINARY PLAT FOR HABITAT AT MANDALAY, LOCATED ALONG FIRST AVENUE, KEY LARGO, AT APPROXIMATE MILE MARKER 97.5 OF THE OVERSEAS HIGHWAY, BEING A REPLAT OF A PORTION OF BLOCK 3, MANDALAY SUBDIVISION, PLAT BOOK 1, PAGE 194 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA LOCATED WITHIN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA.

(File 2013-001 – Preliminary Plat)

3.A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A FINAL PLAT FOR HABITAT AT MANDALAY, LOCATED ALONG FIRST AVENUE, KEY LARGO, AT APPROXIMATE MILE MARKER 97.5 OF THE OVERSEAS HIGHWAY, BEING A REPLAT OF A PORTION OF BLOCK 3, MANDALAY SUBDIVISION, PLAT BOOK 1, PAGE 194 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA LOCATED WITHIN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA.

(File 2013-001 – Final Plat)

Mr. Haberman suggested hearing Items 2 and 3 together. Mr. Ortiz agreed, since the staff reports are practically identical.

Mr. Ortiz presented the staff reports. Mr. Ortiz reported that the applicant is wanting to replat .71 acres into seven individual residential lots. This is a 99-year lease. Mr. Ortiz described the previous County action and gave a physical description of the property and described the immediate vicinity. Staff recommended approval of the preliminary and final plat to the Planning Commission with conditions. Approval of the preliminary plat shall not constitute approval of the final plat with permission to proceed with development, but shall only constitute

an authorization to proceed with preparation of the documents as required by the Planning Director for a final plat. An application for final plat shall be filed within one year of the date of the preliminary plat approval unless an extension is granted by the Board of County Commission (BOCC). Failure to file an application for a final plat automatically shall render null and void a preliminary plat granted by the BOCC. The final approved plat shall be recorded pursuant to Monroe County Code. The conditions of the final plat are similar, except Condition B should be deleted.

Mr. Haberman clarified that normally a preliminary plat occurs several meetings before the final plat, but due to the simplicity of this plat, which is really a re-plat of part of an existing block, it seemed a bit cumbersome to divide them. Mr. Ortiz noted the applicant has already addressed half of the changes requested by staff. Mr. Haberman emphasized how important it is to have all changes corrected prior to going before the BOCC.

Mr. Ortiz went over what changes still need to be made. Mr. Ortiz indicated the date being used is still incorrect. Letter R, the boilerplate language regarding notice, needs to be included. The houses need to be removed from the plat. Mr. Haberman explained the details from the boundary survey were left on the plat, but will be removed. Mr. Ortiz added that easements are not defined and they need to be. Mr. Williams agreed the easements have to be identified. Mr. Ortiz also commented that the Legal Department has to look at this, but will receive it only after the scrivener errors have been corrected.

Mr. Haberman informed the applicant's representatives, Dan McAfee and Jack Niedbalski, that the way that some of the corner lots are designed and the way the plats are drawn will require variances. Under current code they would be considered a double front yard. Habitat for Humanity nor any other affordable project are exempt from variance fees. A bigger concern is there is no guarantee the variances will be approved if neighbors object or if the criteria is not met. Mr. Niedbalski asked for clarification regarding the variance on the two corner lots. Mr. Haberman explained the setback is 15 feet and the corner pieces and side are what is in the setback. Mr. Haberman suggested one option would be to re-design a less wide house or have the stairway come up underneath the house, which may present other problems. Different design options were discussed by and with the applicant's representatives. Mr. Haberman pointed out that each house will have to have two parking spaces on site, although the spaces do not necessarily have to be under the house. Mr. Haberman recommended trying to avoid a variance altogether.

Mr. Schwab noted there was no public present for public comment.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:52 p.m.